

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SUITS –Land Acquisition–Srisailem Right Branch Canal – Lands acquired at Karivena Village, Atmakur Mandal in Kurnool District for excavation of SRBC– O.P.Nos.1698,1699,1700,1701 of 1987 on the file of Subordinate Judge Court, Atmakur disposed off – Market value enhanced–Appeals filed and dismissed by the Hon'ble Supreme Court of India– Depositing of balance decretal amount in the Lower Court – Budget sanctioned- Orders – Issued.

IRRIGATION & CAD (PW.LA.II)DEPARTMENT

G.O.Rt.No. 255

Dated:09-04-2009
Read the following:-

- 1)From the Special Deputy Collector(LA), Srisailem Right Branch Canal, Nandyal Lr.Rc.B./544/93, Dated:04-02-2009.
- 2)From the Special Collector, Srisailem Project, Kurnool Lr.Rc. No. B6/154 /08 ,Dated:04-08-2008 .

O R D E R:

The Special Deputy collector (LA)SRBC ,Nandyal in his letters 1st read above has reported that an extent of 27.86 acres lands acquired in Survey.No.164&165 in Karivena Village ,Atmakur Mandal in Kurnool District by fixing the Market value @ Rs.6,000/- per acre and well value @Rs.13,200/- through Award No.1/84 ,Dated:27.03.1984 for construction of residential and No- residential buildings for SRBC Colony. Aggrieved with the Market value awarded by the L.A.O. , the awardees have filed petitions u/s 18 (1) of the L.A. Act with a request to refer the matter to the Civil Court for adjudication . On making references u/s 18 of L.A. Act to the Lower Court , the Subordinate Civil Judge Court , Atmakur had delivered Judgements enhancing the market value from Rs.6,000 to Rs.15,000/- per acre and the well value from Rs.13,200 to Rs.45,000/- in respect of o.P.no.s 1698,1699,1700,1701 /87dated:30.09.92. Aggrieved with the market value enhanced by the Lower Court , the Special Deputy Collector,LA, SRBC,Nandyal has filed appeal in the Hon'ble High Court of A.P., Hyderabad .The Hon'ble High Court of A.P., Hyderabad disposed off four cases in A.S.No. 1831/94,469/94,497/94 and 464/94against O.P.Nos .1698, 1699,1700,1701/87 respectively confirmed the enhancement of Land value from Rs.6,000 to Rs.15,000/- per acre. but at the same time set aside the enhancement of well value from Rs.13,200 to Rs.45,000/- . But not disallowed the value of the well as awarded by the LAO. The well value as awarded by the LAO has been taken for arriving at the decretal amount to be paid in respect of above O.Ps. up to 31.07.2008. In respect of A.S.No.469/94 in O.P.No.1699/87 and A.S. No.460/94 in O.P.No.1701/87, the Hon'ble High Court of A.P., has confirmed the lower court orders and dismissed the appeals made in this regard . Hence enhanced compensation of land as well as well value has been taken in to account to arrive at the amount to decretal charges to be paid in the above O.Ps. The S.L.P. was filed in Supreme court of India which was also dismissed. The Special Deputy Collector has submitted the final decretal charge proposals to the Spl.Collector, SSP, Kurnool for sanction.

(P.T.O.)

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2. In turn, the Special Collector, Srisailam project , Kurnool in his letter 2nd read above has submitted budget proposals for an amount of Rs.6,38,756/- towards payment of final decretal charges in respect of O.P.Nos. 1698,1699,1700.1701/87 pertaining to Karivena Village and Mandal in Kurnool District through Chief Commissioner of Land Administration , A.P., Hyderabad with a request to recommend for the same to the Government.

3. In the circumstances reported by the Special Collector, Srisailam Project, Kurnool in the reference 2nd read above Government after careful examination of the matter hereby accord sanction for an amount of Rs.6,38,756/- (Rupees Six lakhs thirty eight thousand seven hundred and fifty six only) towards payment of final decretal charges to be deposited in the Lower Court to the credit of OP No's.1698,1699,1700,1701/87 pertaining to Karivena Village , Atmakur Mandal in Kurnool District in connection with the lands acquired for construction of residential and non- residential buildings for SRBC Colony.

4. The Special Collector, SSP,Kurnool is, directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated 30-4-2007 in WP No.2181/2005 in depositing the above sanctioned decretal amount in the respective court.

5. The amount sanctioned in para (3) above shall be debitable to the detailed Head of Account "2701 -COL on Major and Medium Irrigation; 01 - Major Irrigation (Commercial); MH 123 -SRBC; G.H. 11- Normal State Plan; S.H. (27) Canals and Distributaries'; 530 Major Works; 532 - Lands (charged)".

6. This order issues with the concurrence of Finance(W&P) Department vide their U.O.No.963/F4(1)/2009-1, dt.:17.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To
The Special Collector, Srisailam Project, Kurnool,
The Special Chief Secretary to Govt. & Chief Commissioner
of Land Administration, Hyderabad
The Chief Engineer(P),Irrigation, Kadapa.
The Chief Engineer(P), Irrigation, Kurnool.
The Engineer-in-Chief, Irrigation, Errumanzil, Hyderabad
The Special Deputy.Collector, (LA),SRBC,Nandyal,Kurnool District.
The Accountant General, AP, Hyderabad
The Director of Works& Accounts, Hyderabad.
The District Treasury officer, Kurnool
The Joint Director, Works & Accounts TGP,Kadapa.
The Pay & Accounts Officer ,Nandyal
Copy to:-
The PS to Minister (Major Irrigation)
The P.S. to Secretary(Irrigation&CAD),
The Law Department
The Finance(Works & Projects)Department,
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER